YORK HERALD, SATORDAY APRIL IV. 1809.-TRIPLE SHEET.

NEW YORK CITY.

THE COURTS.

street beautiful filecorte.

UNITED STATES COMMISSIONERS' COURT. Alleged Bounty Frauds.

Before Commissioner Osborn.

The United States vs. F. B. Swift.—The defendant, government claim agent, was charged with de-auding Patrick Glesson and John Muldoon of their laims as soldiers entitled to bounty. The defendant, ciaims as soldiers entitled to bounty. The defendant, on the case being dismissed, asked permission to make a statement. He said:—My name appeared in some of the journals of yesterday and this morning, under the head of "Bounty Frauds," in connection with statements which are entirely false. The facts, briefly, are that latrick Giesson left his claim with a washington firm for collection; I received his check after two months' labor, and charged him only \$2.50 for my services. John Muidoon left his claim with me, and received \$85, and ten months after settling with him he demanded more money, as he was in greatly distressed circumstances; I offered to give \$5 more, which he refused, demanding \$25, when, as the Commissioner has ruled, he was only entitled to the amount offered, and that there was no criminal intent on my part. As to any other charges against me, they are as utterly groundless.

Heged Conspiracy to Obtain Bounty Money. Before Commissioner Betts. United States vs. Thomas Fox.—The defendant is United states vs. Thomas Fox.—The defendant is charged with conspiring with one calling herself Elien Reynolds in personating other persons for the purpose of procuring bounty money and back pay due a deceased soldier named John Reynolds. It appeared from the testimony that the money in question was obtained by Walter S. Griffith and W. H. Macomber, two Brooklyn claim agents; that it was due to Mary Reynolds, the widow of John, who had been informed by the Second Auditor of the Treasury that it had been paid to Griffith and Macomber in the name of Elien Reynolds, who represented herself as the mother of John, and who swore that John left no widow, and that Fox had told the widow and others that he had received the money and would not give it up. The defendant was held in \$1,000 ball for an examination.

SUPREME COURT-SPECIAL TERM. The Christy Estate Controversy.

Brecks vs. Smith.—This suit, to determine in effect here the Christy estate has gone, and whether the counsel, Charles K. Smith, kept more than he was

ntitled to of it, was continued.

Mr. Nicoll, who took the acknowledgments of the arious deeds and releases passed at the time of the roving of the E. Byron Christy will, was put on the and and testified to the execution of the papers of the acknowledgment of them by the various arties. He stated that at the time of the acknowledgment of the papers by Mrs. Brecks she was sitting near Mr. B. J. Blankman and Mr. E. J.

and the acknowledgment of them by the various parties. He stated that at the time of the acknow ledgment of the papers by Mrs. Brecks she was sitting near Mr. B. J. Blankman and Mr. E. J. Blankman.

On cross-examination he testified that he went to Mrs. Christy's house for her acknowledgments: he got there about eight A. M., and found there Mrs. Schnson (now Mrs. Casey, who was a witness on the stand); he had several papers with him, and finding Mrs. Christy could neither read nor write, read them to her, and Mrs. Johnson and Mr. Casey aided him in explaining the papers to Mrs. Christy; she signed several, but objected to signing two papers until she could get them explained by her lawyer; these two were, he thought, deeds; Mr. Nicoli, Mr. Casey and Mrs. Johnson left the house a little aiter eleven o'clock, and the two latter walked with him towards Fifth avenue, when he left them and went up to his own house in Forty-third street; as he left them he told them if Mrs. Christy decided not to sign the papers to let him know; at two A. M. he got a note signed S. B. Johnson, telling him Mrs. Christy would sign the deed; he called in the morning and they were acknowledged.

Mr. Kepler Smith, the defendant, was then placed on the stand, and testified that he had in the first place made a verbal agreement with the Christy should the ease being very difficult, he had depred to withdraw, and Mrs. Christy and E. Byron Christy had then begged him to remain chairs, and offered him three-eights of the estate. This agreement had been reduced to writing. To secure him in his share Mrs. Christy made a mortgage for \$20,000 to him, and a mortgage for \$20,000 to him, and a mortgage for \$16,000 was made about the same time to Mr. Blankman, show and cabout the same time to Mr. Blankman to hi; Mr. Smith said that at this time he was in very feeble health, and the matter impered to in discussion between him for his liability to Judge Jones to assign to him, and the matter impered on the stand of the conversations ascribed by her to h

court adjourned to Monday next. The Union Pacific Railroad War. Before Referce Redfield.

Whom M. Troont Jr. Receiver, vs. H. G. Crant and the Corn Exchange Bank.—The examination of es in this case before the referee was re-

sumed yesterday.

Mr. Clark Beh appeared as counsel for defendant Crane, Mr. Tracy for the bank, and Mr. David Dudley Field for the receiver.

The first witness called was Mr. H. C. Crane. Ex-

arsined by Mr. Field:-Q. Have you the check book or bank pass book

nentioned yesterday? A. I have, sir. Q. Open your check book and say when your last oposit was made? A. April 9. Q. What amount? A. \$1,125.

Q. What amount? A. \$1,125.
Q. When was the last check drawn? A. April 7.
Q. For what amount? A. \$34 01.
Q. What is the total amount of deposits since January 1, 1890? A. \$631,240 50.
Q. What is the total amount of checks drawn since that time? A. \$625,344 80.
Q. Were any of these checks drawn for account of the Union Pacific Railroad Company?
Objected to as incompetent and improper. It is not competent to go back to January 1 in regard to his business.
Objection overruled, and lest impony received. Explained to the property of the competent of the property of the competent of the property of the property of the competent of the property of the pr

hot competed and lestimony received. Exception by defendants.

A. No, sir.

Q. Is there not a check for \$2,500 that has been paid since the injunction with the consent of the

plaintiff Objected to by Mr. Tracy on the ground, first, that that fact has aircasty been proved by the president of the bank, and there is no contradictory evidence upon the subject, and the plaintiff should not be allowed to occupy time by accumulating proof on that point, and the question is not admissible for any purpose except such accumulation.

Referee decided to admit it and overruled objection.

Refered decided to admit it and overried cojection.

A. I have no knowledge on the subject.

Q. Have you lately given a check for \$2,500? A.

I gave a check for \$2,500 on the 3d of April.

Q. Was not that check given for account of the Umon Pacific Railroad Company? A. No, sir.

Q. Look at the check book and read from it, and show me the marginal entry of that check? Witness shows the marginal entry, at request of plaintiff's counsel, and reads to fi, as follows:—"C. S. Bushnell, April 3, \$2,500."

Q. What was that check given for?

Gojected to by defendant's counsel. A discussion here ensued between the counsel on this. Overruled,

ruled.

A. I gave it to Mr. C. S. Bushnell and charged him with it; I did not see it after I gave it to him.

Q. Do you mean to say you no not know what you gave it to Mr. Eushnell for, or to what use it was to be amplied?

applied? Dijected to, as already answered, owned and ad-

Objected to, as already answered, owned and acmitted.

A. I have answered it already as fully as I can; nothing, of my own knowledge, more than above.

Q. Is Mr. Bushneil a director of the company?

Mr. Bell objected, as too remote for the controversy here.

Q. Was the cheek given to him in the office of the company? A. If you want me to explain, I told yeaserday that I had an office in the same room of the Union Pacific Railroad Company; one corner of their room is partitioned of; the company have nothing to do with that room—that is, they do not transact any business in that corner; that is my place; the check was given to him in my office.

Q. Is the place that is partitioned off within the office of the Union Pacific Railroad Company? A. It is in the same room.

inice of the Union Pacific Railroad Company? A. It is in the same room.
Q. Do you hire that corner of the Union Pacific Railroad Company? A. No.
Q. You spoke yesterday of checks deposited by you as assistant treasurer; were these or any of these checks deposited?
Witness—What checks are you taiking about?
Q. Do you not know what checks I am taiking about? A. The checks mentioned in my testimony of yesterias were not deposited in the Corn Exchange Pank.
Q. What did you do with them?
Mr. Beil objected and the referee sustained the objection.

Q. Pad you deposit to your bank account any of

Oad Company.
Q. Dal you deposit may that you have received as

assistant treasurer?

Mr. Bell objects that the inquiry is not proper in issue before the referee. That it appears that this account is his private account and there is only a balance elet and the evidence is incompetent.

Objection overruled and evidence admitted. A.

Q. Was the money, but was put in my private money, but was put in my private money of the Courth National Bank \$4,000,000 of the money of the Union Pacific Railroad Company?

Mr. Bell objects as irrelevant.

Referee overrules the objection, provided the counset traces it into the Corn Exchange Bank. A.

I have given all that went into my private account in the Cora Exchange Bank in those four items as assistant treasurer.

Question repeated and objected to.

Referee decides that the question cannot be put and exciudes the evidence.

Q. Look at your check book from January 1? A. This check book does not go back so far.

Q. Please turn to your check book of January 1, 1869, and state the transactions of that day. A. There were none.

Q. State those of the second day? A. There was nothing except my private business; I deposited \$6,758 53, and I drew three checks that day amounting to \$753 48.

Q. Where did the money deposited come from? A. From my own private resources.

Q. Read the entries in the margin? A. Interest, \$4,855 50, \$1, 118 37; exchange, G. M. Dodge, \$383 23; H. C. Crane, bills, \$50 33, \$325.

Q. Is G. M. Dodge the engineer of the company? A. He is the chief engineer.

Q. Explain the tem of exchange? A, He gave me his check for \$383 23 and I gave him mine for same amount; it was a simple exchange of checks between me and him.

Q. Have you drawn any checks on the Corn Exchange Bank as attorney for any person or coporation?

Objected to by Mr. Tracy on the ground that it is incompetent, unless the question is made to refer to this account.

Q. Is there or has there been an account in the corn Exchange Rank in respect to which you draw

incompetent, unless the question is made to refer to this account.

Q. Is there or has there been an account in the Corn Exchange Bank, in respect to which you draw checks other than which the check book now before you refers? A. As attorney I draw checks on the Corn Exchange Bank besides my own.

Q. As attorney for whom?

Question objected to. Objection overruled.

A. Thomas C. Durant.

Q. Have you the check book and pass book of that account? A. I suppose it is in Mr. Durant's safe.

Q. Have you had them (this money) in your possession? A. Yes.

Q. Have you deposited on that account to-day?

Objected to by Mr. Pell, as Irrelevant to the issue, and not within the issues before the referee.

A. No.

Objected to by Mr. Beil, as irrelevant to the issue, and not within the issues before the referee.

A. No.

Q. When did you last make such deposit? A. Yesterday.

Q. Fo what amount? A. \$15,000.

Q. Where does that money come from? A. It did come from the Union Facilic Raitroad.

Q. Do you know where it came from? A. Yes.

Q. Have you the sole control of that account? A. I do not consider that I have.

Q. Does Mr. Durant draw checks himself against it? A. He does when he sees fit.

Q. Has he done so since the 1st of January last?

A. I don't know whether he has or not; I think not.

Q. Has he been in the city and in that office every working day since that time? A. I don't think he has.

Q. How much has he been absent? A. I can't tell; I don't know.

Q. Has he been absent a week at a time since January I, 1889? A. I should say he had.

Q. Where has the money of the company been kept since then?

Objected to as incompetent and improper.

A. Ledon't know.

Q. Has it had any money since then? A. I don't know.

Q. Has it had any money since then? A. I don't know.

Q. Has it had any money since then? A. I don't know.
Q. Has it or any of its officers or agents for it received any money since then? A. I don't know.
Q. How are its payments made? A. I don't know that it has made any payments.
Q. Have not its obligations matured since that time? A. Its notes have.
Q. Do you not know what is meant by obligations?
A. If you mean notes, I do.
Q. Then answer my question, if you please? A. They have matured since that time.
Q. How have they been met?
Mr. Bell objects that it is incompetent and irregular, and not within the scope of the inquiry.
A. They have been paid by the contractors of the road.

At this stage the case was adjourned to Thursday next, at one o'clock.

SUPERIOR COURT-GENERAL TERM. Proper Action of the Court in the Absence of a

Material Witness Through Sickness. Before Judges Barber, Jones and Fithian. William Starritt against Fay H. Puray.—This case came on for trial before Judge McCum. The defendant asked for a postponement on the ground of the dangerous illness of Thomas E. Smith, his most important and material witness. His affidavit and the certificate of Dr. James B. Kissam were not contradicted by the plaintift. Notwithstanding, Judge McCunn ordered the trial to proceed, and an inquest was taken by default before Judge Friedman. The detendant then made a motion upon additional affidavits before Judge Friedman to set aside the inquest, the iliness of Mr. Smith still continuing and inquest, the liness of Mr. Smith still continuing and remaining uncontroverted. Judge Friedman ordered the inquest to be set aside, but upon the following conditions:—First, that the trial should be peremptorily set down for the then Friday week; second, that the defendant should within five days pay all the costs of the action, amounting to over one inandred dollars, to plaintiff's attorney; and, thirdly, give a bond with two sufficient surfiles, to be approved by him, in double the amount claimed to pay the judgment. The defendant deeming the conditions onerous in double the amount claimed to pay the judgment. The defendant deeming the conditions onerous unprecedented and unwarranted, appealed to the General, Term. Counsel for appellant insisted that the postponement of the trial of a cause because of the six kness of a material witness, and when the cause is called for the first time and in the absence of any six called to the first time and in the absence of any six called to the first time and in the absence of any six called to the first time and in the absence of any six called to the first time and in the absence of any six called the is called for the first time and in the absence of any suspicious circumstances is a substantial right, and cited the case of Howard vs. Freeman, decided by the same court. That the costs only of the term and disbursements should have been imposed, and that the order made by Judge Friedman was an act of injustice to his client. Counsel having been heard in reply, the Court set aside the order and all subsequent proceedings. Judge Barbour: in delivering the opinion of the Court, said that the only condition that could have been imposed was the payment of the costs of term and disbursements, and that it had been the invariable practice of the Court is cases similar to this to impose those costs only.

Mr. Morange for appellant, Mr. Reaney for plaintif.

SUPERIOR COURT-SPECIAL TERM. Decisions. Judge Monell rendered judgment in the following

cases:—

Prescott rs. Prescott.—\$250 counsel fee and twenty dollars a week alimony, with liberty to defendant to move to revoke the order upon any unreasonable delay in prosecuting the action on the part of the plaintiff.

Daris vs. Chacon.—Motion granted directing Frederick Probst & Co. to pay over sixty-eight dollars in gold, or its equivalent in current funds, within three days after service of a copy of this corder. order.

Blake et al. vs. Peters.—Motion denied and injunc-

Blake et al. vs. Peters.—Motion denied and injunc-tion vacated.

Mary Duffy vs. Josephi et al.—Motion grated, with-out costs.

Charmay vs. Ross, President, &c.—Interrogato-ries settled.

Charmay vs. Ross, President, cc.—Interrogatories actited.

Starritt vs. Purdy.—Order set aside on payment of ten dollars costs to defendants' attorney within ten days from date, and in default of such payment said order vacating said proceedings shall stand in full force, defendant to appear provided the said costs be paid on the 27th April, 1869, at ten o'clock A. M., at same place as therein specified.

Phetps vs. Curter et al.—Motion directing the clerk to pay out moneys granted.

O'Brien, Sherf, vs. Rowe et al.—Interrogatories settled.

Martin vs. Carroll.—Motion granted.

Fessendent vs. Engle et al.—Motion granted, without costs.

out costs. Underhill et al. vs. Merchanis' Exchange Bank,— Wrays vs. Lothian et al.—Motion granted.

COURT OF GENERAL SESSIONS. A Daring Robbery-One of the Criminals Sent to the State Prison for Pifteen Years. Before Judge Bedford.

Thomas Brennan was placed on trial yesterday, being jointly indicted with John Howard, Jacob Smith and William Varley, alias Jerry, the blacksmith, charged with robbery in the first degree. The complainant, Lawrence Graham, a resident of Hudson City, N. J., testified that on the 26th of March he came to New York, and in the evening met the prisoner in the Bowery, he stating that he lived in prisoner in the Bowery, he stating that he lived in Jersey. They visited several drinking saloons, and reached the saloon to. 7 Chatham square near one o'clock in the morning. There he saw a number of men, and after playing a couple of games of cards he paid for some drinks. Varley charged him with refushing to pay for the drinks, and in order to avoid quarrelling with them he paid for the liquor a second time. He was then assaulted and kicked and \$499 in bills taken from his vest pucket by one of the prisoners. Brennan did not attack him, but he (the prisoners consulted with Varley after the robbery was perpetrated and said it would be better to kill him (the complainant) and put him out of the way. He begged them to let him out, and as he was a stranger in the city he would leave and say nothing about it. As soon as he reached the screet he gave the alarm and two officers speedily reached the house. Graham tood them what had befailen to him and returned with the officers to the saloon, where they arrested Brennan and another one of the party. A number of with the officers to the saloon, where they arrested Brennan and another one of the party. A number of with the seven were examined for the defence, all of whom testified that Graham when in the saloon stated that he was robbed by some one, but did not know by whom. The jury, however, belleved the statement of the complainant, and Assistant District Attorney Tweed, who tried the case, said it was so clear that he would not sum it up. They rendered a verdlet of guilty and Judge Beefford passed sentence on the spot. His Honor said:—Brennan, you were jointly indicted for robbery in the first degree with three other men. You have had a fair trial and you have been defended with ability, eloquence and ingenuity but I think yon were righteously convicted. I do not see how a sworn jury of twelve men could render a verdict on the evidence other than of robbery in the first degree. No. 7 Chatham square is one of the worst places in New York, Where thieves congregate for the purpose of robbery. You are one of the worst places in New York. (Brennan is an ex-convict.) I am told that you are known as a thief and an associate of thieves, and your counsel knowing that would not dare open the door for the proseculting

years.

AN ACQUITTAL.

Harmon Ladendorf, who was charged with stealing thirty hams from the Hudson River Railroad depot on the 7th inst., was acquitted.

CITY INTELLIGENCE.

SUDDEN DEATHS.-John Fay, Iwenty-seven years of age, and a native of Ireland, died suddenly at his residence, No. 15 Cannon street. George Schneider, a German, thirty-four years of age, died suddenly at No. 30d West Fortieth street. Coroner Flynn held an inquest, when it was found that disease of the heart was the cause of death.

THE MORGUE—"UNKNOWN."—Warden Brennan reports that the body of an unknown man, age about thirty years, five feet eight inches high, brown hair, black sack coat, black pants and blue overalls, brown overshirt, plaid shirt, white cotton socks and brogans, was brought to the Morgue last evening, from pier No. 28 East river. Body too much decom-posed to be placed in the Morgue for identification. MUNICIPAL OFFICERS FROM BOSTON ON A VISIT.—

A committee of four members of the Board of Aldermen of Boston visited the Central Police Office Addermen of Boston visited the Central Ponce of mey yesterday, and, under the guidance of Superintendent Kennedy, made an inspection of the various bureaux in the building. They subsequently called on the Street Cleaning Department, and were, of course, courteously received at both places. FOUND DEAD.—Coroner Flynn was yesterday notified to hold an inquest at No. 543 West Fortieth

near to note an inquest at No. 543 West Fortieth street on the body of Ann Leary, an Irish woman, forty-nine years of age, who died suddenly. Deceased had been drinking to excess for a long time past, and on Thursday night her husband went to bed leaving her lying on a lonnge. At two o'clock in the morning he awoke and found her lying dead on the floor.

East Twentieth street, was crushed between two trucks and taken to Bellevue Hospital. A man named McKena, working at No. 150 Fulton street, named McKena, working at No. 150 Fulton street, fell from the third floor of that building and was badly injured. During the progress of excavations corner of Fourth avenue and 123d street Patrick Juckian was badly injured by the falling of a derrick. Patrick Gorry, living on the corner of Thirty-sixth street and Second avenue, had two fingers amputated by coming in contact with a circular saw.

STABBING APPRAY—ANTE-MORTEM.—Late yesterthe ante-mortem examination of Albert Simmons the ante-mortem examination of Albert Simmons, now lying in a dangerous condition at his residence, No. 303 East Twenty-sixth street, from the effects of a stab wound in the arm, said to have been inflicted by Henry Waldeyer. On Saturday night last the parties had an altercation at No. 106 Vesey street, during which, it is alleged, Waldeyer, drew a knife and stabbed his antagonist in the arm. Waldeyer was arrested at the time, and has since been in the Tombs to await the result of Simmons' injuries.

POLICE INTELLIGENCE.

THE WEATHER YESTERDAY .- The following record will show the changes in the temperature for the past twenty-four hours in comparison with the cor-

past twenty-four hours in comparison with the corresponding day of last year, as indicated by the thermometer at Hudnut's pharmacy, Hexald Building, Broadway, corner of Ann street;—

1868, 1869.

3 A. M. 49 49 3 P. M. 50 71 6 A. M. 48 47 6 P. M. 52 67 9 A. M. 53 53 9 P. M. 58 59 12 M. 59 64 12 P. M. 50 56 Average temperature yesterday.

3612 Average temperature for corresponding date 1881 year.

CHARGE OF BURGLARY .- Peter Williams was yes charge of burglariously entering a room on the second floor of No. 13 Second avenue, and stealing dresses and dress patterns of the value of \$25, the property of Frank Wahl. The property was found in possession of the accused. ALLEGED BURGLARY BY A NEGRO.—The stable of

John S. Williams was recently broken into and a set John S. Whilams was recently broken into and a set of harness and other property stolen. Officer Dreher, of the Fourteenth precinct, yesterday found the harness in possession of a negro, giving his name as John H. Morrison, who was at once taken before Justice Dowling at the Tombs and committed to prison to answer a charge of burglary.

ARREST OF AN ALLEGED HOTEL THIEF.—Alfred Carter, alias Alfred Lyng and several other aliases, was yesterday committed by Judge Powling to the

city prison to answer a charge that has been fre-

quentry preserred against him—that of being a hote thief. He was charged in this case with attempting to steal the carpet bag of Mr. Robert C. Grant, stop-ping at Earle's Hotel. ANDERSON, THE TOMBS LAWYER. - This gentleman of the legal profession, whose arrest and commit ment to the fombs on a charge of swindling the widow of a late client, the particulars of which were published in yesterday's Herald, was yester-day morning released by Judge Dowling on giving \$1,000 ball, his wife being his surety. The papers in the case were immediately sent to the Grand Jury.

THE SPIRIT PHOTOGRAPHS.

Spiritualistic Gentlemen in Large Array at the Tombs-Positive Agency of the Spirite Proclaimed-Line of Defence in the Forth-

coming Examination-Persons of spiritualistic proclivities, as is well rnown, make up the majority of those appearing at the Tombs Police Court. It was so yesterday. The spiritualistic proclivities of the morning's assemblage, however, were diverse from the ordinary channel—not the besotted, wretched, maudin subjects of benzine and fusel oil, but those having to jects of benzine and fusel oil, but those having to do, or rather professing to have to do, with the spirits of the vasty deep, or heavens above, or anywhere where the spirits of the dead make their abode when freed from the cerements of our earthly clay. In other words, the crowd was made up of spiritualists—long-haired, sallow cheeked, saffron-hued gentlemen, the very tones of whose voices were sepulchrait. The occasion of their presence was an expected examination in the case of William II. Mumler, the spirit photographer, whose arrest on a charge of perpetrating deception and fraud upon the public through the medium of alleged spirit photographs, has already been announced in the HBRALD. Ex-Fire Marshall Baker and Albert Day appeared as counsel for the accused. Ex-Judge Edmonds, though doing most of the little talking that was done, announced himself only as the friend of the prisoner.

"Are you ready to proceed with your case?" asked Judge Dowling.

"Yes, sir" answered ex-Judge Edmonds. "We

"Are you ready to proceed with your case?" asked Judge Dowling.

"Yes, sir," answered ex-Judge Edmonds, "We have from twenty to thirty witnesses here from Boston, Foughkeepsie, Buffalo and elsewhere.

"The Mayor sent the case here," remarked the Judge, "and expressed a desire to be present at the examination and asked me to postpone it on account of his inability to be present this morning."

"Of course the Mayor's wishes must be regarded, but will you allow," asked the-Judge, "Mr. daker to read a paper prepared on behalf of the accused, as showing the line of defence we propose to enter upon."

"Why do you wish to read it now?" inquired Judge Dowling.

"The late publications in the papers have de stroyed Mr. Mumler's business, and through giving

"Why do you wish to read it now?" inquired Judge Dowling.

"The late publications in the papers have de stroyed Mr. Mumler's business, and through giving this equal and immediate publicity we desire to restore the public confidence, to which he is justly entitled," unged Judge Edmonds.

"I have no objection to having the paper read," answered the Judge, and it was read accordingly. The document was as follows:—

We propose to prove that there is no trick, fraud or deception in what are called spirit pictures by the accused; that in order to produce those pictures nothing more is done or used by him than by ordinary photographers in producing these pictures than mere resting his hand on the camera; that the spirit pictures coming or abstaining from coming is in no respect subject to his control or volition; that the process of taking them has been again and again, carefully scrutinized and watched in its every step by men of intelligence and by those skilled in the art of photography, whereby it has been acception about it; that there has been produced on the same plate with the picture of a living person the picture or ghost-like image of persons who have died, which have been recognized by those who knew them in life; that this has been done in cases where there was no likeness or picture in existence of such deceased person, and whom that operator had never seen or heard of: that it is now some thir-

teen or fourteen years since these spirit pictures were first heard of in this country; that within the last four or five years the taking of these pictures has been publicly heard of and known in Boston, and there frequently investigated with the utmost care and scrutisty, and that simultaneously with their production in New York they have been produced in Paris France, and in Pooghkeepsie. Waterville and Buffalo, in this State; that in the various attempts to imitate these pictures, and which some photographers claim are the same thing, there are essential points of difference plainty to be discovered by the pretoticed or the discorning eye, and which distinguist the genuine from the false, and which distinguists the genuine from the false, and which distinguists the genuine from the false, and which does not know and never has pretended to know by what power or process other than that of producing an ordinary photograph these spirit pictures are produced; that he has often solicited and obtained the closest scrutiny by men more capable than himself of understanding the process, and he is now at all times ready and willing to have his work scrutinized and watched in the most critical manner; and to that end he invites an investigation by a delegation of the most expert and experienced photographers in town and pledges himself to afford the fullest opportunity therefor; that there are a great many intelligent men and women who, after a careful investigation, are firm bilievers that the pictures are truly likenesses of the spirits of the departed, and every day the number of sitters, investigators and believers is increasing; and that he and such believers are of the opinion that the taking of these pictures is a new feature in photography, yet in its infancy surely, but, gradually and slowly progressing to greater

THE CUSTOM HOUSE.

General Schenck Looking for a Onc-Legged Soldier.

The vanguard of the disappointed army of office-seekers at Washington has already reached New York and commenced its assault on the Custom House of this city. The plague of place hunters is Grant to Grinnell, and in a few days hence, when the Senate adjourns, it will be no astonishing thing to find those who were candidates at the capital for the mission to Turkey or Timbuctoo astonishing thing to find those who were candidates at the capital for the mission to Turkey or Timbuctoo begging the Collector to give them an inspectorship, at four dollars a day. There were a good many clamorous patriots in the Collector's office yesterday, urging their claims with the pitiable persistency of despair. These had evidently come penniless from Washington and feit like making a last grand effort before yielding up the ghost. The hopes of most of them will be apt to prove like Dead Sea fruit, pleasant to the eye, but turning to ashes on the lips. Collector Grinnell will at once begin to compile those tabular statements relating to the collection of duties, the warehousing of goods and the general work of the Custom House called for by resolution of the Committee of Ways and Means, which holds its first regular meeting the 12th of next month. General Schenck and Mr. Hooper leave for Washington to-morrow. The General might have been observed early yesterday afternoon in the vicinity of the Custom House, hunting vainly among the busy through that pours through Wall street at that hour for a one-legged soldier for whom he procured from the Collector the position of night watchman. The reporter of the HERALD remarked to the General that a one-legged man, with one leg, ought to be easy to find in a crowd where everybody appeared to have two. "Ah, yes," replied he, "out this fellow wears a cork leg, and there's the trouble." The hast seen of Schenck he was hovering around a peanut stand trying to determine if the proprietor stood on a semi-bogus footing or not.

THE METROPOLITAN POLICE.

Commissioner Acton's Resignation—Peter
Cooper Writes a Letter of Regret.
The friends of the various rivals for the position
of Police Commissioner, in place of Thomas C. Acton, were very active yesterday, not only in Albany,
but in this city. Telegrams they over the wires of Police Commissioner, in place of Thomas C. Acton, were very active yesterday, not only in Albany, but in this city. Telegrams flew over the wires during the entire day, and various suggestions were offered as to how the law could be avoided and throw the selection of a Commissioner into the Legislature. In the afternoon no satisfactory arrangement had been arrived at, and the contest between the candidates was likely to cause a breach of no mean proportions. Under these circumstances the service of Mr. Peter Cooper were called in, and the following letters given to the press with a view of paving the way for Mr. Acton's withdrawal of his resignation. The first letter is in response to the numerously signed letter requesting the Commissioner not to resign, presented last winter, just before his departure for the South:—

TO PETER COOPER AND OTHERS—Gentlemen, the communication signed by yourself and nearly 800 other distinguished citizens, representing largely the intelligence, wealth and social and moral worth of the Metropolitan Police district, was duly received. You requisal me, "in the laterests of good government and order" and in flattering terms of commendation of my official conduct, to reconsider my determination to resign the office of Police Commissioner, to which I was urged by the impaired condition of my health, and suggest to me, instead of resigning at once, to take a few months' leave of absence, in the hope of a restoration to health. This request was preferred in such terms and urged on such grounds as to Induce me to attempt to comply with the and any ment of the treatonable considerations me and any ment of the treatonable considerations me and any ment out of the treatonable considerations me and any ment out of the treatonable considerations me and any ment out of the treatonable considerations.

have ample opportunity to appoint a proper successor to his its very important obice. I have, therefore, this day transmitted to the proper authority my realignation of the office of Commissioner of Aletropolitan Police. I feel deeply grateriat to young sentiement, and the proper and the proper and my concluse as one of the highest rewards that can be bestioned upon a public officer. In taking leave of the Police Department I avail myself of the opportunity it allored to acknowledge my obligations to those who have been associated with me as commissioners, and to tender to the officers of the police force, the public press and citizens generally, an earnest expression of thanks for the generous confidence, counsel and support I have enjoyed in the performance of the duties of my office for a term of nine eventual years. I shall carry with me into private life a sincere desire for the success of the Metropolitan Police Department, boping that its progress may be continually towards greater excellence.

Dated Naw York, April 8, 1690. THOS. C. ACTON.

Bated New York, April 9, 1895. THOS. C. ACTON.

Bated New York, April 9, 1895. THOS. C. ACTON.

THOMAS C. ACTON, Esp.:—

DEAR SH.— I have the morning received your communication in the this statement of the comming me that you have been competed by your endealed condition of heath to send forward your resignation of the office of police commissioner. The necessity of this step is much to be regreted, but you of course must first take care of your heath and the public interest cannot demand of you its ascrifece. I am informed that since you forwarded your resignation grave doubts have arisen as to the power of the Legislature to fill the reanny, and that your resignation mow may lead to serious question as to the legality of any appointment to fill the vacancy. Any doubt as to the legal constitution of the logard of Police, it is easy to see, would lead to serious question to the constitution of the logard of Police, it is easy to see, would lead to serious you to revise your determination to resign and continue your leave of absence from brisiness in the hope of an early restoration to leadth. I am certain that the gentlemen who joined mein a former request not to resign, if consulied whether the control of the public in the edice of Police Commissioner, I am very respectfully yours.

FOR CUBERS.

EXTENSIVE FORGERIES.

Barefaced Operations of "Penmen" on Wholesale Houses-Arrest of One of Their Within the past three weeks a number of whole

sale houses dealing in hatters' findings, such as silk plushes, hatbands, &c., have been visited by messenters purporting to be in the employ of well known gers purporting to be in the employ of west known hat manufacturing firms, who have ordered bills of goods of various amounts, usually tendering in payment therefor checks upon some prominent bank. The messenger, in all the cases that have come to light, bore a written order, with the signature of a firm, and the that have come to light, bore a written order, with the signature of a firm, and the check generally covered one-half or one-third of the amount of the goods ordered. It was subsequently discovered in each of these cases that doubt discovered in each of these cases that doubt orgeries had been committed, the signatures of the purchasers to the orders, and to the checks as well, being false and fraudulent. Yesterday a young man giving the name of Charles Wilson was arraigned before Justice Dodge, at Jefferson Market Folice Court, upon complaint of Mr. Dates, salesman in the einpley of Frost & Davenport, No. 48 Broome street. It appeared that on Thursday last the prisoner catied at the establishment referred to and handed to Mr. Dates an unscaled envelope, containing an order form H. M. Graves, of No. 43 Mercer street, for two boxes of the best black hatbands, accompanied by a check for seventy-five dollars on the National Park Bank. Mr. Dates had been previously informed of the manner in which other firms had been victimized, and in order to guard against fraud, and, if existing, to detect the delayed the messenger and sent for Mr. Lewis H. Rogers, of the firm of Martin Bates & Co., who had put him on the alert. Mr. Rogers arrived just as the prisoner was taking his departure, having concluded not to wait for the goods, and, comprehending the pituation he immediately followed Wilson, and siter a long chase overtook thin and caused his arrest. Mr. Graves was also notified of the matter, and he also appeared in court yesterday and made an affidavit setting forth that the signature of his name to the Graves was also notified of the matter, an allidavit appeared in court yesterday and made an allidavit setting forth that the signature of his name to the order was a forgery and wholly unauthorized by him. Mr. Grayes was somewhat puzzled, however, to account for the manner in which the prisoner, or to account for the manner in which the prisoner.

letter heads used by him, and what was still more inexpireable was that it was one of a newly designed lot received by him only last week.

Among other firms who have been victimized by these bogus orders and checks are Martin Bates & Co., and Robert Cushman & Co., of No. 50 Howard street. In the former case the name of Hunt & Dusenberry had been forged, and in the latter the name of Nicholas Espenscheid, both well known hat manufacturing firms. The check enclosed with Mr. Espenscheid's order was for \$200, on the National City Bank, and that which accompanied Hunt & Dusenberry's order was for \$200, on the National Shoe and Leather Bank.

The prisoner is an intelligent looking iad, and in his informal examination stated that he is seventeen years of age, a cigar maker by occupation, and not guilty of the charge preferred against him; also, that he was the dupe of other men, and at the time of committing the alleged offence was acting as the errand boy of a man who accosted him at the corner of Canai and Allen streets. He was committed for trial in default of \$3,000 bail. His father and half a dozen personal friends were present in court.

THE JAY COOKE FORGERIES

There were some queer circumstances disclosed esterday in the case of the extensive forgeries of the name of Jay, Cooke & Co., and the borrowing of drafts to over \$25,000 by the Bank of the State o seems that when the police officials who had the man Smith (arrested on Thursday) in custody called upon the bank officials to secure a prosecutor they declined to appear against the accused, on the piea that no offence had been comitted, as the checks, genuine ones, had been probably stolen from Jay, Cooke & Co's house. The parties whose names it is alleged have been forged also declined to appear as complainants, and the Superintendent of Poince would have been compelled to have turned Smith loose had not the District Attorney come to his assistance at the opportune moment and given him an order for his detention in custody until such time as the two houses settle the question as to the genuineness of the signatures. The police assert that Smith has been recognized as the party who passed the \$5,000 check. eems that when the police officials who had the

BROOKLYN CITY. THE COURTS.

UNITED STATES DISTRICT COURT-IN BANKRUPTCY.

Expenses of Adjudication—Decision. Before Judge Benedict. In the Matter of Julius Schwab, Bankrupt.-The following decision was rendered in this case yes-

In the Matter of Julius Schwab, Bankrupt.—The following decision was rendered in this case yesterday:—

This is an application on the part of the petitioning creditors in a case of involuntary bankruptcy for an order directing the assignees to pay to them out of the assets the amount of their reasonable expenses incurred in procuring the adjudication of bankruptcy and preventing the disposition of the property in proceedings in the State tribunals before the appointment of an assignee in bankruptcy. The petitioners filed their petition and procured a warrant to the Marshal, and prior to the adjudication and to to the appointment of the assignee, procured injunctions staying the proceedings in six actions brought against the bankrupt in the State court in which allotment had been issued and levied upon the property of the bankrupt. The result of this action on the part of the petitioners was adjudication of bankruptcy without opposition and the securing for equal distribution property valued at some thousands of dollars, which the assignee reduced to possession and is now about to distribute. The petitioning reditors now ask to be paid out of the assets their reasonable expenses of the proceedings taken by hem. As to the justice of this application, there can be no question. The action of the petitioners was necessary to be taken by some one to recover for all the creditors the property which is now about to be distributed. The fund is the fruit of their diligence, and there can be no justice in compelling them to bear alone the expenses which were incurred for the benefit of all. The only question, therefore, in my mind is, whether there exists any power in the court to direct the assignee to pay these expenses, and upon consideration I am convinced that authority for the exercise of such a power is to be found in the first section provides, cannot be made without the exercise of this power, for the petitioning creditors cannot be said to share equally with the other creditors. If they must pay the expenses of

counset fee out of the proceeds of a vessel for an argument made for the common benefit of various parties who had filed libets against the vessel, as against the claim of a mortgages who was proceeding against the fund. The motion is accordingly granted. A reference would ordinarily be directed to ascertain the proper amount; but that is unnecessary in the present case, for the amount asked for is small and the papers show fully the proceedings. Motion granted. UNITED STATES CIRCUIT COUIT. Sentence Deferred.

Before Judge Benedict. In the case of Joseph Price, who was convicted last week of smuggling cigars at Staten Island, the motion to arrest judgment, on the ground that the value tion to arrest judgment, on the ground that the v of the cigars had not been proven, was denied. prisoner, Price, was then arraigned for sentence, when asked if he had anything to say why sent should not be passed upon him, answered tha had not seen his lawyer since his conviction. Court, in consequence of the wish of the prison consult with his counsel, remanded him until day, when sentence of the Court will be passed thin should not some new motion of his counse entertained.

Sentenced for Counterfeiting Camilla Fict, an Italian, was arraigned for sen-tence, having been convicted of passing counterfeit money. The Court remarked, on passing sentence that the evidence was clear against the prisoner. that the evidence was clear against the prisoner, but that in consideration of his having given test mony that would lead to the conviction of other parties a much lighter sentence would be passed upon him than would otherwise have been imposed. The sentence was two years in the Penitentiary at Albany and one dollar fine.

CITY COURT.

The Action Against the Belt Rallroad.

Refere Judge Thompson.

Margaret Wallace vs. The Central Park, North and East Ricer Railroad Company.—In this case, reported in the HERALD yesterday, the jury returned a scaled verdict for the plaintiff, assessing her dam-ages at \$300. For plaintiff, Mr. Flynn; for defendant ex-Judge Reynolds.

BROOKLYN INTELLIGENCE. A NATIONAL CITAGO COURT MARTIAL DISSOLVED .-

The proceedings pending before the court marital in the case of P. Crook, late brigadler general of he Second division, National Guard, State of New York, charged with disobedience of orders, have been abandoned in accordance with an absolute writ of prohibition which was served upon the court in question by the Supreme Court. SUICIDE BY AN OLD WOMAN,-Coroner Whitehill

was notified yesterday to hold an inquest on the body of Elizabeth McCue, a woman sixty-two years body of Elizabeth McCue, a woman sixty-two years of age, who committed suicide at her residence in Carroli street, near Third avenue. The deceased was discovered on Thussiay by a little girl, her granddaughter, lying on the floor, and in reply to the Inquiries of the child said that she had swallowed two teaspointuls of Paris green. Medican aid was immediately summoned, but the unfortunate woman died during the night from the effects of the poison. A verdict in accordance with the facts was rendered.

News IN BRIBE. - Officer Aldridge, a patrolman attached to the Forty-second precinct, was arrested by an officer of the Central squad, yesterday, on a charge of assault on John McFeeley. The prisoner Michael Grandon, a longshoreman, fell into the

lower hold of the bark Saxon, lying near the foot of Baltic street, and broke his right leg. Taken to the Battle street, and close the lindustrial School Association hospital.

The receipts of the lindustrial School Association during the past year were \$19,980, and the expenditures \$19,474.

The ladies' fair in aid of the fund for the erection of the new orphan asymm for female Catholic children is still in progress at the Academy of music.

The Excise Law.—There was another meeting of the Excise Law.—There was another meeting of

THE EXCISE LAW.—There was another meeting of the Liquor Dealers' Association of Kings county held yesterday afternoon, at the hall in Fulton avenue, opposite Bridge street, for the purpose of taking action upon the question of the repeat of the Excise law. I. D. McCloskey, president, occupied the chair. The attendance was not numerous, but the discussion was earnest. It appears that the New York Liquor Dealers' Association has made a formal demand or assessment upon the Kings county, organization for \$15,000, said amount only now required to lobby the amendments to the liquor law before the Legislature. The Brooklyn liquor dealers, lager beer saloon keepers and brewers refused to acquiesce to any such demand, feeling that they nave already been sufficiently taxed for this measure. Thus the Gothamitee will have to bear the brant of the expenses of the lobby alone.

SUBURBAN INTELLIGENCE.

YORK HERALD C. LARRIE ERIOY

Jeracy City.

The Coopens still hold out and remain firm in their demand for the old rate of wages. The strike affects over one hundred men, who have conducted themselves in a very dignified and peaceful manner thus far.

the newly elected Mayor of Jersey City, declines t quality for the office, and says the position was forced on him. Should he adhere to this resolution the election for Mayor will devolve on the Common Council. In any case there is likely to be some litigation on the question.

Sciden Death in a Railway Car.—Mrs. isa-

bella Baldwin, a resident of White Plains, while or her way from Tompkinsville to New York in an Eric Railway car, died saddenly, on Thursday night She had been sufering from consumption for som time past. Her husband and child were on the train On the arrival of the train at Jersey City notice wa given to Coroner Warren, who granted a permit for the removal of the body to New York. Decease was twenty-nine years of age.

NARROW ESCAPE FROM A TERRIBLE DEATH.-Abou half-past three o'clock yesterday afternoon a boy named Thomas Homan was run over by a wagon at named Thomas Homan was run over by a wagon at the corner of South Eighth street and Newark avenue. He was dragged along for several yards till he became so fastened between the axie and the whee that it was found necessary to raise the latter in order to extricate him. His arm was so lacerated and broken that the bone protruded at the elbow He was conveyed to the residence of his parents, 26 Railroad avenue, where he received medical attendance.

HOWDYISM ON THE INCREASE.-The next Grand Jury will have their hands full in dealing with cases of aggravates assault in Jersey City. Scarcely a day passes without some exhibition of rumanism. A few nights ago Thomas Dillon was attacked in the Central Saloon and struck out the head with a bottle. Central Saloon and struck on the head with a bottle. The alleged perpetrator, Michael Mullick, was brought before Justice Corrigan, who held him to bail for trial. In some of these cases the constables are either afraid or unwilling to arrest the offenders, and in a recent case (published in the Herald) the assailant walks out unmolested, although the warrant has been assulted in a most savage manner, the thends accordingly to go before the Grand Jury and complain against the offender.

Habelese.

Hoboken. FIREMEN'S CONVENTION .- At the convention FIREMEN'S CONVENTION.—At the convention of fremen which assembled on Thursday night in the house of Hose Company No. 2, in Meadow street, Mr. Denis Coppers was renominated for Chief Engineer and Mr. John o'Donneil Assistant Engineer of the fire department. The election will take place on the second Monday in May.

DANGEROUS ACCIDENT.—Yesterday afternoon a man named George Michl, twenty-two years of age,

was thrown from his wagon at the corner of Fourth and Washington streets, and received a severe scalp wound, which rendered him insensible for some time. His wounds were dressed and he was con-veyed to his home, at No. 3 Washington street. His injuries will not prove fatal. THE NEW CITY HALL-Preparations are

made for the removal of furniture and records be-longing to the city from the Council Chamber in Odd Fellows' Hall to the Morton mansion, in Washington street, which will be the new City Hall. The requisite appropriations having been voted by the Common Council, the building will be altered to meet the requirements of the city authorities. The basement will serve as a city prison. CHARGES AGAINST THE JUDGES OF ELECTION.

protest was lodged with the Board of Canvasser yesterday afternoon by Mr. Charles Chamberlain grounds of ballot box stuffing and fraudulent voting. Mr. Chamberiain charges that the Judges acted in such a manner as to forfeit the confidence of citizens who desire to have the purity of the ballot maintained. He demanded an investigation of the charges. DESPERATE ATTEMPTS AT SUICIDE.-A respecta

looking elderly man, who seemed to be suffering from delirium tremens, made several attempts to from desirium tremens, made several attempts to kill himself yesterday evening. He first stood on the track of the Wechawken railroad and would have been cut to pieces had not the engineer seen him and stopped the train. The unfortunate man then wandered to a large pool in Seventh street and jumped in, but not finding the water deep enough he went to another one, whence he was rescued by two policemen. He was taken to St. Mary's Hospital and thence conveyed to his home, in Carroll street, Brookiya. Hudson City.

THE PURITY OF THE BALLOT A DISPUTED QUES rion .- Up to yesterday afternoon no election returns Tion.—Up to yesternay atternoon no election returns had been received from the judges of election in the Third ward, and the whole subject will have to be discussed before the Board of Canvassers. Rumors are circulated in regard to the conduct of certain judges, which, if substantiated, will render the charter election null and void.

AN ELECTION BRAWL.—In the midst of the excitement which attended the charter election.

AN ELECTION BRAWI.—In the minds of the excito-ment which attended the charter election a man named Denis Kavanagh had a narrow escape from being fatally stabbed, the knife having cut his clothes near the region of the heart. A man named John Reilly was arrested as the alleged per-petrator, but the police are under the impression that they have "the wrong man."

Newark.

ADROIT ROBBERY.—The day before yesterday two Arott Robert.—The day before yesterday two genteely dressed youths entered the warehouse of Mr. Jesse Baldwin, No. 186 Market street, and inquired the prices of numerous articles. Subsequently white one of them engrossed the attention of the clerk the other stepped into the office and abstracted \$104 in cash and a check for twice as much more. Both left and have not since been seen.

THE GLOBE FOUNDERY FIRE .- The fire at the Globe foundery on the corner of Jefferson and South Market streets, mention of which was made in vesterday's HERALD was of a most destructive character. The en-tire building with all its machinery is in ruins, except the office and a storeroom fronting on South Market street. The origin of the fire is a mystery to the proprietors, Messrs. Jerome B. Wood & Sons, as well as to everybody eise, and there are pretty good crasions for believing that incendiarism had considerable to do with the occurrence. The loss is estimated at \$10,000. There was an insurance of about \$4,000. Some eighty hands are thrown out of employment at a time too when work is not over plendial.

WESTCHESTER COUNTY.

DROWNING CASUALTY.—A tailor named William Miller, of Greenwich, Conn., while fishing off the rock at the Americus Club house at Greenwich Point, feli overboard and was drowned this forenoon. He leaves a wife and several children.

leaves a wife and several children.

THE CONVICT SHOOTING CASE.—In the case of Charles E. Sullivan, a keeper at Sing Sing Prison, against whom a Coroner's jury returned a verdict of having caused the death of Charles Lockwood, alias having caused the death of Charles Lockwood, alias O'Neill, a convict, by shooting him while in a barn near Tarrytown, the Grand Jury have found an indictment for murder in the first degree. The accused has since voluntarily surrendered himself to the Sherif, and is now confined in the countyjait. Application has been made for the release of Sullivan on bail, (i) which his friends believe will be regarded favorably. Constable Joshua 6. Manny has been exonerated by the Grand Jury from any blame or participation in the alleged homicide.

NEWBIRG.

FIRE DEPARTMENT ELECTION,-The triennial election of the Newburg Fire Department was held on Wednesday evening. The following ticket was elected:—Chauncey M. Leonard, chief engineer; Archibaid Hays, first assistant engineer: Fatrick Herbert, second assistant engineer. ATTEMPTED INCENDIARISM.—The Pirst ward "fire-

bug," of this city, was seen at three o'clock on thursday inorating in the act of setting a building on fire. Several shots were freed at him by the occupant of the dwelling, who was awakened by the noise of his dog. The incendiary was not hit, and made his escape in the darkness. He has fired aix or seven buildings in the First ward within as many months.

STATE OFFICERS ON AN EXCURSION.-Lieutenant Governor Beach, State Treasurer Bristol, and State Surveyor Richmond, a committee of the Commis-sioners of the Land Office of this State, arrived to simers of the Land Office of this State, arrived in Newburg on Thursday to consider the applications for grants of lands under water in that vicinity. Accompanied by the counsel for the various applicants and others, the Commissioners left Newburg on the steamer Uncle Hen, and visited the various localities where grants are applied for, going up the river as far as Mariborough and down as far as West Point. Among other applications that of the Boston, Hartford and Eric Railway Company for a strip of river front 2,700 feet in length. The commissioners were direct and wined on the steamer.

REDUCTION IN FREIGHT RATES,—The following are reduced rates from New York to Hochester by Hudson River and New York Central Railroads, commencing in New York April 15:—First class, seventy-seven cents per 100 pounds; second class saxty-six cents per 100 pounds; fourth class, fifty-five cents per 100 pounds; fourth class, thirty cents per 100 pounds. It is stated that new rates from Rochester to New York will be announced in a few days.—Rochester Chronicle. April 16.